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Date: **April 5, 2005**
To: **Group Art Unit 2853**
Fax No.: **0011 1 703 872 9306**
Subject: **United States Patent Application No. 10/713,093**
Inventors/Assignors: Kia Silverbrook
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: **ZF196US**

Total Number of Pages (including this) : 5

Please find enclosed a reply to the Office Communication dated March 7, 2005, of Examiner Raquel Yvette Gordon.

Regards,

Kia Silverbrook

Encl.

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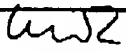
PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/713,093	
	Filing Date	November 17, 2003	
	First Named Inventor	Kia Silverbrook	
	Art Unit	2853	
	Examiner Name	Requel Yvette Gordon	
Total Number of Pages In This Submission	5	Attorney Docket Number	ZF186US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Email: kia.silverbrook@silverbrookresearch.com Telephone: 81-2-9818-6633 Facsimile: 81-2-9555 7762		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name			
Signature			
Printed name	Kia Silverbrook		
Date	April 5, 2005	Reg. No.	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Kia Silverbrook	Date	April 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appln No. 10/713,093
Amdt. Dated November 17, 2003
Response to Office Communication of March 7, 2005

2

It is hereby submitted that this petition is timely filed and meets the priority claim referred to by the Examiner in the Office Communication dated March 7, 2005.

Very respectfully,

Applicant:



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In the United States Patent and Trademark Office

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CENTRAL FAX CENTER
APR 04 2005

Serial Number: 10/713,093
Application. Filed: November 17, 2003
Applicant: Kia Silverbrook
Application. Title: Micro-Electromechanical Liquid Ejection Device
Examiner/GAU: Raquel Yvette Gordon 2853

Dated April 5, 2005
At: Balmain, NSW
Docket No. ZF196US

REPLY

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

In reply to the Office Communication dated March 7, 2005, the Applicant responds as follows:

- Petition to Accept an Unintentionally Delayed Claim under 35 U.S.C. 120.
- We hereby petition to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of a prior-filed application in accordance with 37 C.F.R. 1.78(a)(3).
- With respect to 37 C.F.R. 1.78(a)(3)(i), the reference required by 35 U.S.C. 120 and 37 C.F.R. 1.78(a)(2) has been previously submitted by the Applicant in the Preliminary Amendment dated March 8, 2005.
- With respect to 37 C.F.R. 1.78(a)(3)(ii), the surcharge set forth in 37 C.F.R. 1.17(t) is being submitted herewith.
- With respect to 37 C.F.R. 1.78(a)(3)(iii), it is submitted that the entire delay between the date the claim was due under 37 C.F.R. 1.78(a)(2)(ii) and the date the Preliminary Amendment dated March 8, 2005 was filed submitting the claim was unintentional.

04/06/2005 BBONNER 00000027 10713093

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